

ORIGINAL

KENJI M. PRICE #10523  
United States Attorney  
District of Hawaii

FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

JUN 06 2018  
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**SEALED**  
BY ORDER OF THE COURT

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Attorneys for Plaintiff  
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,

Plaintiff,

vs.

NATHAN YUEN GRIT LUM,

Defendant.

CR. NO. **C R 18 - 00073** **DKW**

INDICTMENT

[18 U.S.C. §§ 641 and 1028A(a)(1);  
26 U.S.C. § 7203]

INDICTMENT

The Grand Jury charges that:

COUNT 1  
Theft of Public Money  
(18 U.S.C. § 641)

In or around and between August 2013 and January 2016, both dates being approximate and inclusive, within the District of Hawaii, NATHAN YUEN GRIT LUM, the defendant, did willfully and knowingly steal and convert to his own use things of value of the United States, to wit: benefit payments from the Social Security Administration, an agency of the United States, in the amount of approximately \$33,435, intended for his father, H.L., whom LUM knew was deceased.

All in violation of Title 18, United States Code, Section 641.

COUNT 2  
Aggravated Identity Theft  
(18 U.S.C. § 1028A(a)(1))

On or about August 4, 2014, within the District of Hawaii, NATHAN YUEN GRIT LUM, the defendant, did knowingly transfer, possess, and use, without lawful authority, the means of identification of another person, to wit: the name and signature of H.L. on a check written on H.L.'s bank account to LUM, knowing that the means of identification belonged to an actual person, during and in relation to a felony in violation of Title 18, United States Code, Section 641.

All in violation of Title 18, United States Code, Section 1028A(a)(1).

COUNT 3

Aggravated Identity Theft  
(18 U.S.C. § 1028A(a)(1))

On or about October 3, 2014, within the District of Hawaii, NATHAN YUEN GRIT LUM, the defendant, did knowingly transfer, possess, and use, without lawful authority, the means of identification of another person, to wit: the name and signature of H.L. on a check written on H.L.'s bank account to LUM, knowing that the means of identification belonged to an actual person, during and in relation to a felony in violation of Title 18, United States Code, Section 641.

All in violation of Title 18, United States Code, Section 1028A(a)(1).

COUNTS 4-8

Failure to File Income Tax Returns  
(26 U.S.C. § 7203)

During the calendar years set forth below, NATHAN YUEN GRIT LUM, the defendant, who was a resident of Honolulu, Hawaii, received gross income in excess of the minimum amount required by law to make an income tax return to the Internal Revenue Service or to any other proper officer of the United States, on or before the dates set forth below, stating specifically the items of his gross income and any deductions and credits to which he was entitled. On or about the dates set forth below, in the District of Hawaii and elsewhere, well knowing and believing the foregoing, LUM did willfully fail to make said income tax return.

COUNT	DATE	CALENDAR YEAR
4	October 15, 2012	2011 Federal Individual Income Tax Return
5	October 15, 2013	2012 Federal Individual Income Tax Return
6	April 15, 2014	2013 Federal Individual Income Tax Return
7	October 15, 2015	2014 Federal Individual Income Tax Return
8	April 18, 2016	2015 Federal Individual Income Tax Return

All in violation of Title 26, United States Code, Section 7203.

FORFEITURE ALLEGATIONS

1. The allegations contained in all paragraphs of Count 1 of this Indictment are hereby realleged and incorporated by reference for the purpose of noticing forfeitures pursuant to Title 28, United States Code, Section 2461(c).

2. The United States hereby gives notice to the defendant that, upon conviction of the offense charged in Count 1 of this Indictment, the government will seek forfeiture, in accordance with Title 28, United States Code, Section 2461(c), and Title 18, United States Code, Section 981(a)(1)(C), of any and all property, real or personal, that constitutes or is derived from proceeds traceable to the violation of Title 18, United States Code, Section 641, alleged in Count 1 of this Indictment, including but not limited to a sum of money equal to at least \$33,435 in United States currency.

3. If by any act or omission of the defendant, any of the property subject to forfeiture described in paragraph 2 herein:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be

subdivided without difficulty,

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the United States of America will be entitled to the forfeiture of substitute property up to the value of the property described above in paragraph 2, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

DATED: June 6, 2018, in Honolulu, Hawaii.

A TRUE BILL

/s/ Foreperson

FOREPERSON

  
KENJI M. PRICE  
United States Attorney  
District of Hawaii

  
REBECCA A. PERLMUTTER  
Assistant United States Attorney

United States v. Nathan Yuen Grit Lum  
Indictment  
Cr. No. C R 18 - 00073 **DKW**